UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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'08 MJ 0299

UNITED STATES OF AMERICA, Plaintiff, v. **Roberto ZAMORA-Espinoza** Defendant.	Magistrate Case No. '08 MJ 0299 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Aliens Without Presentation

The undersigned complainant being duly sworn states:

On or about **February 2, 2008**, within the Southern District of California, defendant **Roberto ZAMORA-Espinoza**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Carla LOPEZ-Arevalo, Susana BEAS-Gonzalez,** and **Raul GONZALEZ-Rodriguez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4th DAY OF **FEBRUARY, 2008.**

UNITED STATES MAGISTRATE JUDGE

GVR

PROBABLE CAUSE STATEMENT

The complainant states that **Carla LOPEZ-Arevalo, Susana BEAS-Gonzalez,** and **Raul GONZALEZ-Rodriguez** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 2, 2008 at approximately 9:35pm, **Roberto ZAMORA-Espinoza (Defendant)** made application for admission into the United States from Mexico at the Otay Mesa, California Port of Entry as the driver of a gray Volkswagen Passat. Defendant presented an I-551 Permanent Resident card bearing the name Ernesto MUNSTER-Ramirez to a Customs and Border Protection (CBP) Officer. The CBP Officer observed that Defendant was an imposter to the document presented. The CBP Officer received a negative customs declaration from the Defendant. The CBP Officer was unable to open the trunk of the vehicle Defendant was operating. The CBP Officer proceeded to refer/escort Defendant into secondary inspection.

During secondary inspection, four undocumented aliens were discovered attempting to elude inspection by being concealed in the trunk of the vehicle. Subsequently, one male individual and three female individuals were removed from the trunk of the vehicle and were determined to be citizens of Mexico with no entitlements to enter the United States. Three were retained as Material Witnesses and are now identified as **Carla LOPEZ-Arevalo (MW1), Susana BEAS-Gonzalez, (MW2),** and **Raul GONZALEZ-Rodriguez (MW3)**.

Defendant was advised of his Miranda rights, acknowledged his rights and agreed to answer questions without an attorney present. Defendant admitted he is a citizen of Mexico not possessing the proper documentation to enter into, pass through, or remain in the United States. Defendant admitted to attempting to smuggle numerous persons concealed in the trunk of the vehicle he was operating into the United States for a monetary payment of $400.00 USD. Defendant admitted to being an imposter to the document he presented to CBP Officers at the time of his application for admission into the United States. Defendant admitted to having numerous prior apprehensions for alien smuggling. Defendant admitted his destination in the United States was that of Fresno, California.

During a videotaped interview conducted by a CBP Enforcement Officer, Material Witnesses admitted they are citizens of Mexico not possessing the proper documentation to enter, pass through, or remain in the United States. Material Witnesses stated they intended to travel to California to reside or visit with family members. Material Witnesses admitted to attempting to elude inspection into the United States by being concealed in the trunk of a vehicle. Material Witnesses stated they intended to pay between $2,000.00 USD and $3,500.00 USD to unknown persons to facilitate their illegal entry into the United States.